

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2287 of 2015

M/s Vishal Bultech (India) Pvt. Ltd., a company incorporated under the Indian Companies At, 1956 having its Registered office at LG-1 & 2, Majestic Plaza, West Boring Canal Road, Patna 1, through its Director Sri Vishal Kumar son of Sri Kartik Kumar, resident of Majestic Plaza, West Boring Canal Road, Patna – 1.

.... Petitioner

Versus

1. The State of Bihar, through the Secretary, Road Construction Department, Govt. of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna
2. The Engineer-in-Chief, Road Construction Department, Govt. of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna
3. The Chief Engineer, Road Construction Department, Govt. of Bihar, Patna
4. The Superintending Engineer, Road Construction Department, Road Circle, Saharsa
5. The Executive Engineer, Road Construction Department, Road Division, Supaul
6. The Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.

.... Respondents

Appearance :

For the Petitioner : Mr. Raj Kishore Prasad, Advocate
For the State : Mr. BINODJI VERMA, GP 17 &
Krishna Kumar Singh, AC to GP 17

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 05-02-2015

As prayed, learned counsel for the petitioner is permitted to implead the Principal Secretary, Road Construction Department, Government of Bihar, as respondent no. 6 in course of the day.

Petitioner has filed this writ application for a direction to the respondent authorities for granting benefit of Clause 10 CC of the agreement as he claims payment of price escalation in terms thereof.

However, in view of the limited prayer made at the time of hearing, this writ application is being disposed of with liberty granted to the petitioner to approach the respondent no. 6, the

Principal Secretary, Road Construction Department, Government of Bihar, by filing a representation making his aforesaid claim, which should be considered and disposed of on its own merit and in accordance with law within two months from the date of filing of such representation along with a copy of this order. The decision so taken should be a reasoned one and should be communicated to the petitioner.

(Dr. Ravi Ranjan, J)

Spd/-

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